

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Lead Case No. 1:24-cv-21136-LEIBOWITZ

Tushbaby, Inc.,

Plaintiff,

v.

Fleerose,

Defendant.

_____ /

Tushbaby, Inc.

Plaintiff,

v.

Shiaon,

Defendant.

_____ /

Tushbaby, Inc.

Plaintiff,

v.

ZOYEE,

Defendant.

_____ /

JOINT SCHEDULING REPORT

Pursuant to Local Rule 16.1(b)(2), the parties¹ submit this Joint Scheduling Report. The undersigned certify that on January 14, 2025 they conferred in accordance with Rule 26(f) and

¹ Apart from ZOYEE, which is in default. [ECF No. 127].

Local Rule 16.1(b). As set forth in Local Rule 16.1(b)(2), the parties provide the following information:

A. **Likelihood of Settlement.** The Parties will promptly explore settlement and should know by the date of the Scheduling Conference if settlement is likely at this time. The Parties will continue to explore, in good faith, the possibilities of settlement as contemplated by Local Rule 16.1(b) as this case progresses further.

B. **Likelihood of Appearance of Additional Parties.** At this time, without the benefit of discovery, the parties cannot gauge the likelihood of the appearance of any other additional parties.

C. **Proposed Limits of Time.** The parties have identified the following limits of time, which is based on the standard case management track under Local Rule 16.1(a)(2)(B):

- **Join parties/amend pleadings:** February 3, 2025
- **To file and hear motions:** Motions for summary judgment and *Daubert* motions by October 24, 2025
- **Complete discovery:** September 26, 2025

As required by Local Rule 16.1(b)(3), a proposed joint scheduling report is attached hereto.

D. **Formulation and Simplification of Issues.** The parties do not believe there are any unique legal or factual aspects of this case or that any of the claims or defenses are frivolous. The parties anticipate that each party will file a single motion for summary judgment, if any.

E. **Necessity or Desirability of Amendments to the Pleadings.** Fleerose and Shiaon intend to amend their counterclaims per the Court's Order granting Tushbaby's motion to dismiss. [ECF No. 128].

F. **Admissions and Stipulations.** The parties will work together to obtain admissions and stipulations that will avoid unnecessary proof at trial.

G. **Suggestions for Avoidance of Unnecessary Proof/Cumulative Evidence.** The parties will work together to obtain admissions and stipulations that will avoid unnecessary proof at trial.

H. **Magistrate Authority.** At this time, the parties agree that discovery matters may be referred to the Magistrate Judge and any other matters the Court deems appropriate for report and recommendation.

I. **Trial Estimate.** The parties estimate that 5-7 days will be needed for trial.

J. **Requested Dates for Trial and Pretrial Conference.** The parties request that this matter be set for trial in March 2026, and the pretrial conference occur on March 9, 2026.

K. **Other Matters.** The parties agree to preserve and exchange relevant ESI in a convenient and cost-effective manner. The parties are unaware of any ESI issues presented by this case at this time. The parties will work together to narrow any privilege claims. The parties agree to assert privilege claims before production.

Dated: January 14, 2025.

Respectfully submitted,

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